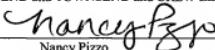


I hereby certify that this correspondence is being filed via
EFS-Web with the United States Patent and Trademark Office
on October 31, 2007.

TOWNSEND and TOWNSEND and CREW LLP

By:


Nancy Pizzo

**AMENDMENT UNDER 37 CFR 1.116
EXPEDITED PROCEDURE –
EXAMINING GROUP 3733**

PATENT
Attorney Docket No.: 19433A-004000US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

James Zucherman et al.

Application No.: 10/790,561

Filed: March 1, 2004

For: Spinous Process Implant With
Tethers

Customer No.: 20350

Confirmation No. 9704

Examiner: Cumberledge, Jerry

T.C./Art Unit: 3733

**AMENDMENT UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3733**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed July 20, 2007, on the above-referenced application, please enter the following amendments and remarks:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.